

PATENT
Attorney Docket No. 056291-5230-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nicola F. BATEMAN *et al.*) Confirmation No: 6134
Application No.: 10/565,100) Group Art Unit: Unassigned
Filed: January 19, 2006) Examiner: Unassigned
For: PHARMACEUTICAL COMPOSITION) Date: February 28, 2007

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Randolph Building **VIA FACSIMILE 571-270-9841**
401 Dulany Street
Alexandria, VA 22314

Sir:

A Notification of Defective Response was received in the instant application, indicating a paper copy and diskette of a sequence listing were not provided. Upon careful review of the file, it was deemed no sequence listing was required in this application. A representative of the undersigned contacted Barbara A. Campbell, the Examiner reviewing the formalities of this case. Ms. Campbell indicated the undersigned should submit a statement indicating no sequence listing is required, which the attorney below states by this response.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a
CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R.
§1.136(a)(3).

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Donald J. Eire
Registration No. 25,323
Tel. No.: (202) 739-5320
Fax No.: (202) 739-3001

Date: February 28, 2007
Morgan Lewis & Bockius LLP
Customer No. 09629
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel. No.: 202-739-3000

By:



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/565,100	Nicola Frances Bateman	056291-5230
		INTERNATIONAL APPLICATION NO.
		PCT/GB04/03241
		I.A. FILING DATE PRIORITY DATE
		07/27/2004 07/29/2003
9629 MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004		
Docketed <u>2115107</u> Attorney <u>DDTB</u> Case <u>56291-5230</u> Due Date <u>315107</u> Action <u>Response - Searcher List</u> By <u>Cnn</u> Chk <u></u>		
CONFIRMATION NO. 6134 371 FORMALITIES LETTER  *OC00000022328415*		
Date Mailed: 02/05/2007		

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 01/19/2006
- Copy of the International Search Report filed on 01/19/2006
- Information Disclosure Statements filed on 11/03/2006
- Oath or Declaration filed on 08/29/2006
- U.S. Basic National Fees filed on 01/19/2006
- Assignment filed on 08/29/2006
- Priority Documents filed on 01/19/2006
- Power of Attorney filed on 08/29/2006
- Specification filed on 01/19/2006
- Claims filed on 01/19/2006
- Abstracts filed on 01/19/2006
- Drawings filed on 01/19/2006

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FEB 08 2007

MORGAN, LEWIS & BOCKIUS LLP

Applicant's response filed 11/03/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 08/07/2006 have not been completed.

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and

a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUser!localEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/565,100	PCT/GB04/03241	056291-5230

FORM PCT/DO/EO/916 (371 Formalities Notice)

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Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
Tel. 202.739.3000
Fax: 202.739.3001
eFax: 877.432.9652
www.morganlewis.com

Morgan Lewis
COUNSELORS AT LAW

FAX MESSAGE

Send To:

Name: Barbara A. Campbell FAX Number: 571-270-9841
Firm: US Patent and Trademark Office Telephone Number:

From:

Name Deborah Schultz Floor: 3 Operator Sending:
Telephone Number: (202)739-5791 Time Sent: Date Sent: February 28, 2007

Number of Pages (INCLUDING COVER PAGE): 4

Note:

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Comments: Re: U.S. Patent Application No.: 10/565,100
Inventors: Nicola F. BATEMAN, et al.
Attorney Docket No.: 056291-5230

Response to Notification of Defective Response

ID #: MP006991

Time Sent:

Receipt Confirmed:

PAGE 1/4 * RCVD AT 2/28/2007 5:08:58 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/35 * DNIS:2708741 * CSID: * DURATION (mm:ss):01:20

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